

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

1200 ASHLAND, LLC,

Plaintiff,

V.

**LAWYERS TITLE INSURANCE
CORPORATION,**

Defendant.

Case No. 07-cv-06241
Honorable James B. Moran

REPORT OF FED. R. CIV. P. 26(f) PLANNING CONFERENCE

1. Pursuant to Fed. R. Civ. P. 26(f), a meeting was held on February 19, 2008 by telephone (preceded and followed by telephone and e-mail communications), and was attended by:

William M. Ejzak, Brown, Udell & Pomerantz, Ltd., attorney for plaintiff, 1200 Ashland, LLC (“1200 Ashland”); and Amanda Sotak, attorney for defendant, Lawyers Title Insurance Corporation (“Lawyers Title”).

2. Pre-Discovery Disclosures. The parties will exchange the information required by Fed. R. Civ. P. 26(a) on or before March 7, 2008.

3. Discovery Plan. The parties jointly propose to the court the following discovery plan:

Discovery will be needed on the following subjects:

- A. Contract formation issues as to Lawyers Title's Owner's Policy No. A75-0289800 (the "Policy"), including, but not limited to, whether Location Endorsement 4 and Zoning Endorsement 3.1 (the "Endorsements") are included in the Policy;
- B. Factual issues as to the existence, nature and discovery of certain alleged location and zoning defects;
- C. The amount of "actual loss" sustained by 1200 Ashland as a result of the alleged location and zoning defects under the Policy.

All written and oral fact discovery commenced in time to be completed by July 31, 2008.

Interrogatories, document requests and requests for admissions as permitted by the Federal Rules of Civil Procedure.

Maximum of 10 depositions by plaintiff and 10 by defendant. Each deposition limited to a maximum of 7 hours unless extended by agreement of the parties.

Expert discovery as follows:

Reports from experts under Rule 26(a)(2) (as to issues on which the party bears the burden of proof) due on or before August 29, 2008.

Discovery of the aforementioned experts to be completed on or before September 26, 2008.

Any expert rebuttal reports due on or before October 24, 2008.

Discovery of experts with respect to aforementioned rebuttal reports to be completed on or before November 14, 2008.

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4. Other Items.

The parties request a pretrial conference at a date to be determined by the court.

The parties shall be allowed until March 31, 2008 to amend the pleadings.

All potentially dispositive motions should be filed by December 5, 2008.

To the extent the Court prefers a deadline for Rule 26(a)(3) disclosures, the parties suggest December 19, 2008.

This case should be ready for trial by January 20, 2009 and should take approximately five (5) days.

Dated: February 26, 2008.

Respectfully submitted,

1200 ASHLAND, LLC
Plaintiff

By: s/ William M. Ejzak
One of its attorneys

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LAWYERS TITLE INSURANCE CORPORATION

By: /s/ Albert E. Fowerbaugh, Jr.

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